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**United States District Court
Central District of California**

12 MARK THOMAS GRANDE,
13 Plaintiff,

14 v.

15 LEE BACA et al.,
16 Defendants.

Case № 2:13-cv-08348-ODW(AGRx)

**ORDER DISSOLVING
TEMPORARY RESTRAINING
ORDER [52]**

17 Upon further review, the Court hereby **STRIKES** the September 16, 2014
18 Temporary Restraining Order issued in this case. (ECF No. 52.) Instead, the Court
19 finds that Plaintiff Mark Thomas Grande has not established a valid basis for issuance
20 of a Temporary Restraining Order. *See Winter v. Natural Res. Def. Council*, 55 U.S.
21 7, 20 (2008). In particular, the Court finds that Grande has not established a
22 likelihood of success on the merits or even serious question going to the merits. *See*
23 *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1135 (9th Cir. 2011).
24 Accordingly, the Court **DENIES** Grande's Request for a Temporary Restraining
25 Order. (ECF No. 49.)

26 Based on the Court's *sua sponte* reconsideration, the Court also **DENIES AS**
27 **MOOT** the Motion to Dissolve the Temporary Restraining Order filed by the
28 California Department of Corrections and Rehabilitation. (ECF No. 54.) Pursuant to

1 General Order 05-07 this action has been referred to Magistrate Judge Alicia
2 Rosenberg. Judge Rosenberg will consider all matters consistent with General Order
3 05-07 for the remainder of this case.

4 **IT IS SO ORDERED.**

5
6 October 6, 2014

A handwritten signature in black ink, appearing to read "Otis D. Wright, II", is written over a horizontal line.

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9 **OTIS D. WRIGHT, II**
10 **UNITED STATES DISTRICT JUDGE**
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